

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL ABORTION FEDERATION,
et al.,

Plaintiffs,

v.

CENTER FOR MEDICAL PROGRESS, et
al.,

Defendants.

Case No. [15-cv-03522-WHO](#)

**ORDER DIRECTING COMPLIANCE
WITH PRELIMINARY INJUNCTION
AND ORDER TO SHOW CAUSE RE
CONTEMPT**

Defendants David Daleiden and CMP are covered by the Preliminary Injunction issued in this case. Docket No. 354. That injunction prevents Daleiden and CMP from:

- (1) publishing or otherwise disclosing to any third party any video, audio, photographic, or other recordings taken, or any confidential information learned, at any NAF annual meetings;
- 2) publishing or otherwise disclosing to any third party the dates or locations of any future NAF meetings; and
- (3) publishing or otherwise disclosing to any third party the names or addresses of any NAF members learned at any NAF annual meetings.

Preliminary Injunction, Dkt. No. 354, at 42.

Daleiden's counsel in a separate criminal case have apparently obtained copies of the recordings at issue and are posting YouTube links to some or all of those recordings on counsel's website. Daleiden's criminal counsel have also apparently published on their website the names of at least eleven NAF members who were subjects of those recordings. Upon receiving a letter from plaintiffs' counsel containing these serious allegations of an intentional violation of the Preliminary Injunction, I set a telephonic hearing at 4:00 p.m. today, directing Daleiden to participate and inviting his criminal counsel to participate. Neither Daleiden nor his criminal counsel participated in the hearing, during which Ms. Short, civil counsel for Daleiden, confirmed

1 the accuracy of plaintiffs' allegations.

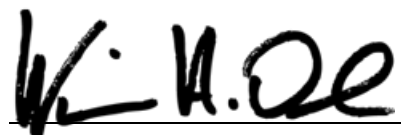
2 To protect the integrity of the Preliminary Injunction and given the significant privacy
3 concerns at stake, Daleiden is hereby ORDERED to require his counsel – Steve Cooley and
4 Brentford J. Ferreira of Steve Cooley & Associates and all those working with or for his counsel –
5 IMMEDIATELY to take down from their website all links to recordings covered by the
6 Preliminary Injunction and remove all references to the identities of any NAF members who were
7 subjects of the recordings covered by the Preliminary Injunction. Daleiden and his counsel are
8 also ORDERED IMMEDIATELY to undertake all efforts to remove from YouTube the
9 recordings covered by the Preliminary Injunction. If Daleiden, his counsel, or any defendant in
10 this action or their counsel has caused any of the information covered by the Preliminary
11 Injunction to be published or posted in any other manner since entry of the Preliminary Injunction,
12 they are ORDERED IMMEDIATELY to take it down.

13 An ORDER TO SHOW CAUSE hearing is set on June 14, 2017 at 2:00 p.m. to consider
14 whether to impose contempt sanctions or other remedies on CMP, Daleiden, and/or Daleiden's
15 criminal counsel for the apparent violation of the Court's Preliminary Injunction Order. Plaintiffs'
16 response in support of contempt sanctions or other remedies should be filed on or before May 31,
17 2017. Defendants' responses shall be filed on or before June 7, 2017. Daleiden's criminal
18 counsel's response shall be filed on or before June 7, 2017.

19 Counsel for plaintiffs shall email, fax (if applicable), and personally serve a copy of this
20 Order on Daleiden's criminal counsel, Steve Cooley and Brentford J. Ferreira of Steve Cooley &
21 Associates. Daleiden, Steve Cooley, and Brentford J. Ferreira are HEREBY ORDERED to appear
22 in person at the June 14, 2017 hearing on the Order to Show Cause.

23 **IT IS SO ORDERED.**

24 Dated: May 25, 2017

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27 William H. Orrick
28 United States District Judge